

UNITED STATE DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X Docket No. 7:20-cv-1573 (VB)

NATIVIDAD MARTINEZ HERNANDEZ,

Plaintiff,

-against-

WARWICK PROPERTIES, INC., MJJ BUILDERS  
CORP., HEADER CONSTRUCTION, INC.,  
DEERFIELD COMMONS LIMITED PARTNERSHIP,  
ACCESS SUPPORTS FOR LIVING, INC. and  
DEERFIELD COMMONS HOUSING  
DEVELOPMENT FUND COMPANY, INC.,

Defendants.

-----X  
HEADER CONSTRUCTION, INC.,

Third-Party Plaintiff, .

-against-

A M FRAMING LLC,

Third-Party Defendant.

-----X  
WARWICK PROPERTIES, INC. and MJJ BUILDERS  
CORP.,

Second Third-Party Plaintiffs,

-against-

A M FRAMING LLC,

Second Third-Party Defendant.

-----X

DEFAULT JUDGMENT  
AS TO LIABILITY ONLY  
AS AGAINST  
FIVE STAR BUILDERS, INC.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 6/10/21

DEERFIELD COMMONS LIMITED PARTNERSHIP,  
ACCESS: SUPPORTS FOR LIVING, INC., and  
DEERFIELD COMMONS HOUSING DEVELOPMENT  
FUND COMPANY, INC.,

Third Third-Party Plaintiffs,

-against-

A M FRAMING, LLC,

Third Third-Party Defendant.

-----X

A M FRAMING, LLC,

Fourth Third-Party Plaintiff,

-against-

FIVE STAR BUILDERS, INC.

Fourth Third-Party Defendants.

-----X

WARWICK PROPERTIES, INC., MJJ BUILDERS  
CORP., DEERFIELD COMMONS LIMITED  
PARTNERSHIP, ACCESS: SUPPORTS FOR LIVING,  
INC., and DEERFIELD COMMONS HOUSING  
DEVELOPMENT FUND COMPANY, INC.,

Fifth Third-Party Plaintiffs,

- against -

UFP NEW YORK, LLC, and BUILDERS FIRSTSOURCE, INC.,

Fifth Third-Party Defendants.

-----X

AB This action having been commenced on February 21, 2020, by the filing of the Summons and Complaint, a Third-Party Complaint was commenced on July 15, 2020 by filing of a Summons and Third-Party Complaint, a Second Third-Party Complaint was commenced on July 21, 2020 by filing of a Summons and Second Third-Party Complaint, a Third Third-Party Complaint was commenced on October 8, 2020 by filing of a Summons and Third Third-Party Complaint, and a Fourth Third-Party Complaint was commenced on October 20, 2020 by filing of a Summons and Fourth Third-Party Complaint naming Five Star Builders, Inc. as a Fourth Third-Party Defendant, a copy of the Summons and Fourth Third-Party Complaint by serving an agent of the New Jersey Department of Treasury on December 9, 2020, pursuant to N.J.S.A. 2A:15-30.1, an Affidavit of Service having been filed on March 26, 2021, Five Star Builders, Inc. having not answered or otherwise moved or responses with respect to the Fourth Third-Party Complaint, the time for answering or otherwise moving with respect to the

21,

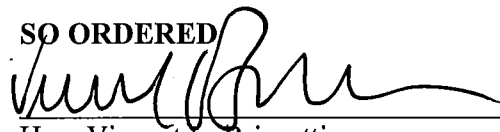
Fourth Third-Party Complaint having expired, the Clerk of the Court having issued a Certificate of Default on March 29, 2021, and Fourth Third-Party Plaintiff A M Framing, LLC having moved, by Order to Show Cause, for a default judgment pursuant to Federal Rule of Civil Procedure 55(b) and Local Civil Rule 55.2(b); it is

ORDERED, ADJUDGED, AND DECREED that Fourth Third-Party Plaintiff A M Framing, LLC shall have judgment against Five Star Builders, LLC on all counts asserted in the Fourth Third-Party Complaint as to liability. An inquest as to damages will be held at time of trial, *or at such other time as ordered by the Court.*

*VB*  
Dated: White Plains, New York

*6/10*, 2021

SO ORDERED



Hon. Vincent L. Briccetti  
United States Court District Judge

*The Clerk is directed to terminate the motion. (Doc. # ~~188~~ 189).*